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FOR NEA/ARP

E.O. 12958: DECL: 2020/01/11
TAGS: [PHUM](#) [PREL](#) [PGOV](#) [PINR](#) [CASC](#) [AE](#)
SUBJECT: Abu Dhabi Sheikh Issa Acquitted in Torture Trial

REF: 09 ABU DHABI 1175; 09 ABU DHABI 707; 09 ABU DHABI 695
09 ABU DHABI 605; 09 ABU DHABI 553; 09 ABU DHABI 481
09 ABU DHABI 423

CLASSIFIED BY: Richard Olson, Ambassador; REASON: 1.4(B), (D)

11. (SBU) Summary. Sheikh Issa bin Zayed Al Nahyan, half-brother of UAE President Khalifa bin Zayed, was acquitted January 10 of all charges stemming from the 2004 videotaped torture of an Afghan trader. The court exonerated Sheikh Issa and a uniformed security guard who appeared in the infamous video broadcast on US television in April 2009. The other five defendants were found guilty including American citizen brothers Bassam and Ghassan Nabulsi, whom the judges said orchestrated the entire episode and manipulated Sheikh Issa with drugs in order to blackmail him for one million US dollars. Convicted in absentia, the Nabulsi received five year prison terms, the stiffest penalties handed down in the case. End Summary.

12. (SBU) The small Al Ain Criminal Court room was filled with a dozen western and local reporters awaiting the verdict when Sheikh Issa walked in and took a seat in the front row among the journalists. The three judges appeared, read the verdict in less than ten minutes, and departed without further comment. Sheikh Issa was found innocent due to "diminished liability" as the judges agreed with the defense argument, ostensibly supported by Egyptian Supreme Court decisions, that he could not be held responsible for his actions under the influence of drugs administered by a third party. The prosecution is likely to refer the Nabulsi convictions to Interpol. According to media reports, the Nabulsi are believed to be in Houston, Texas.

13. (SBU) After the judges departed, Sheikh Issa briefly exchanged hugs, kisses and handshakes with his attorney and personal advisor. The Afghan torture victim Mohammed Shah Poor approached Sheikh Issa and gave him congratulatory kisses on both cheeks. (Note: Shah Poor was not a plaintiff in the case; he told the court in an earlier hearing that he and Sheikh Issa had settled the matter privately. End note.) Sheikh Issa left the courtroom smiling, leaving only lead attorney Habib Al Mulla to face the western reporters. When asked how he would respond to criticism that justice was not served, Al Mulla referred to the recent acquittal in US court of Blackwater security guards accused of opening fire in a central Baghdad square: "17 people were killed in the daylight and the American court acquitted them."

14. (C) Comment. The verdict was only mildly surprising because the court appeared to lay the groundwork for the acquittal December 21 (ref A) after a forensic medical expert testified, and English-language media widely reported, that a combination of medications given to Sheikh Issa could have caused anger, aggression and loss of memory. Human rights watchers have

commended the UAE for its unprecedented prosecution of a royal family member, but the outright acquittal may prove to be a public relations blunder for the UAEG as video of Sheikh Issa's greatest hits is likely to cause an internet sensation once again.

OLSON